

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA )  
and STATE OF NEBRASKA, )

Plaintiffs, )

v. )

PECKHAM, INC.; MARK )  
PECKHAM; CITY OF WEST )  
POINT, NEBRASKA; WIMMER'S )  
MEAT PRODUCTS, INC.; and )  
WEST POINT DAIRY PRODUCTS, )  
LLC, )

Defendants. )

8:08CV293

**MEMORANDUM AND ORDER**

After providing public notice and allowing for public comment pursuant to [28 C.F.R. § 50.7](#), plaintiffs United States of America and the State of Nebraska have filed a motion to enter consent decree (filing [133](#)). The proposed consent decree (filing [132](#)-1) resolves the claims made by the United States and the State of Nebraska against defendants Peckham, Inc. (f/k/a West Point Dairy Products, Inc.) and Mark Peckham for violations of the Clean Water Act.

After careful review of the parties' consent decree (filing [132](#)-1), I shall grant the motion. Accordingly,

IT IS ORDERED:

1. The motion to enter consent decree (filing [133](#)) filed by plaintiffs United States of America and the State of Nebraska is granted;

2. The Clerk of Court shall file the above-described consent decree, as signed and dated by the undersigned United States District Judge, as a separate document following the filing of this memorandum and order;

3. The Clerk of Court shall terminate defendants Peckham, Inc. (f/k/a West Point Dairy Products, Inc.) and Mark Peckham as parties to this action;

4. As the court has previously entered consent decrees between Plaintiffs and each of the other defendants in this case (filings [95](#), [113](#), [126](#)) as final judgments under Fed. R. Civ. P. [54](#) and [58](#), the filing of the consent decree between Plaintiffs and defendants Peckham, Inc. (f/k/a West Point Dairy Products, Inc.) and Mark Peckham resolves all outstanding claims in this case, and the Clerk of Court shall terminate this case.

DATED this 19<sup>th</sup> day of May, 2010.

BY THE COURT:

*Richard G. Kopf*

United States District Judge

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